

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING MINUTES

Town Commission Meeting Room

***4501 Ocean Drive
Tuesday, July 22, 2008
7:00 p.m.***

1. [CALL TO ORDER, MAYOR ROSEANN MINNET](#)

Mayor Minnet called the meeting to order at 7:00 p.m. Mayor Minnet, Vice Mayor McIntee, Commissioner Silverstone, Commissioner Dodd, and Commissioner Clotney were present. Also present were Town Attorney Daniel L. Abbott, Town Manager Esther Colon, and Town Clerk June White.

2. [PLEDGE OF ALLEGIANCE TO THE FLAG](#)

3. [INVOCATION - Reverend George Hunsaker](#)

4. [PRESENTATIONS](#)

5. [REPORTS](#)

a. [Finance Monthly Budget Report - June 2008 \(Manager Colon\)](#)

Vice Mayor McIntee made a motion to accept the report. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

b. [Development Services Monthly Report - June 2008 \(Development Services Director Rabinowitz\)](#)

Commissioner Silverstone made a motion to accept the report. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5 - 0.

c. [Municipal Services Monthly Report - June 2008 \(Assistant to Town Manager Olinzock\)](#)

Commissioner Silverstone made a motion to c. Municipal Services Monthly Report - June 2008 (Assistant to Town Manager Olinzock) Commissioner Clotney seconded the motion.

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In a roll call vote, the motion carried 5 - 0.

d. [Volunteer Fire Department Transitional Report - June 2008 \(Chief Perkins\)](#)

Vice Mayor McIntee made a motion to accept the report. Commissioner Silverstone seconded the motion.

Commissioner Dodd asked whether the Volunteer Fire Department was getting any help from the Broward Sheriff's Office Fire to help make their October 1, 2008 transition run smoothly. Chief Perkins said they were not. Mayor Minnet asked Chief Perkins to clarify whether the Volunteer Fire Department had received everything from the Broward Sheriff's Office. Chief Perkins said there were a few items missing and they were being resolved.

In a roll call vote, the motion carried 5 - 0.

A Point of Order was made by Vice Mayor McIntee requesting that Chief Perkins be released from remaining at the meeting. He added that Chief Perkins was not needed for any further business and he did not receive compensation for attending the meeting. Mayor Minnet believed that the people would like him to stay and felt it was important to recognize that Chief Perkins was present. Commissioner Dodd inquired of the compensation for the previous Fire Chief to remain seated. Vice Mayor McIntee believed he was paid \$160,000 a year. Mayor Minnet stated that Chief Perkins agreed to stay and left it up to him to decide and what he felt the townspeople deserved.

Commissioner Silverstone made a motion to overrule the chair Vice Mayor McIntee seconded the motion.

Commissioner Silverstone made a motion to allow Chief Perkins to decide whether and when he wanted to exit the meeting. Vice Mayor McIntee seconded the motion.

Manager Colon reminded everyone that Chief Perkins was not the current Fire Chief. She said it was Chief Sievers from the Broward County Fire Department. Manager Colon said Chief Perkins came to the meeting as a transitional. Mayor Minnet pointed out that her intention was for the Chief to choose whether he wanted to stay or not.

In a roll call vote, the motion carried 4 - 1. Mayor Minnet voted no.

e. [Status Report on the Progress of the North Seagrape Drive Streetscape/Washingtonia Sidewalks Project from Engineer of Record, Walter H. Keller \(Assistant Olinzock\)](#)

Commissioner Dodd requested an outline of the issues faced by the Town so that the project could move forward. Assistant Olinzock said the greatest challenge was getting the utilities to do their job so the sidewalks could go in.

Walter Keller, Engineer of record for the Seagrape project, said that Tenex was currently running the project. Mr. Keller said he monitored the project and made inspections. He emphasized that some of the underground utilities were not located where they were supposed to be and required modifications along with modifications to the sidewalks. He said the utility relocations for Florida Power and Light and Comcast, were months behind schedule despite efforts to get them to proceed and were the main reason for the project delay. Mr. Keller said the berms were another issue that was currently being resolved.

Commissioner Clotney asked whether the problems would have been solved had the sidewalks been put on the other side of the street. Mr. Keller said there may have been a whole series of other problems that dealt with parking.

Commissioner Silverstone asked if the project could be completed before October 1st. Keller said it was a possibility if the utility companies completed their job. Commissioner Silverstone asked whether Mr. Keller needed direction from the Commission regarding retaining walls or leveling of properties. Mr. Keller believed the property owners should be responsible for their retaining walls. Commissioner Silverstone said that in the future if Mr. Keller did not get results he should contact the Town Manager and then the Commission to get things moving.

- f. [Lauderdale-By-The-Sea Chamber of Commerce Report \(Mayor Minnet - Judy Swaggerty or Paul Novak\)](#)

Paul Novak, President of the Chamber of Commerce, announced upcoming events. He said there were 17,118 walk-ins throughout the year with various inquiries. Mr. Novak was aware that the Chamber of Commerce contract was about to expire. He added that the \$35,000 that was part of the contract was very important to the survival of the Chamber.

- g. [Bel-Air Beautification Committee Report \(Vice Mayor McIntee - Michael Power\)](#)

Dave Sandin distributed renderings of what the Bel-Air Beautification Committee would like to see at the entrances.

Vice Mayor McIntee made a motion to direct Town Manager to work on the cost. Commissioner Clotney seconded the motion.

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Commissioner Silverstone liked the design but felt the Town of Lauderdale-By-The-Sea seal should be larger than the Bel-Air sign.

Mayor Minnet asked whether contact was made with the Bel-Air Homeowners Association. Mr. Sandin said they had but no action was taken. Commissioner Clotney pointed out that Bel-Air had a Civic Association and not a Homeowner's Association. Edward Melkin, President of the Bel-Air Civic Association, said other than some of the members of the Beautification Committee that had come by his house to talk about their plans, they had not had been willing to come to a Civic Association meeting. Mayor Minnet liked the design of the entrance sign but did not feel it was equivalent to a bridge and felt the funds should be directed towards the Terra Mar Bridge.

In a roll call vote, the motion carried 4 - 1. Mayor Minnet voted no.

h. [Walk Around Committee Report \(Vice Mayor McIntee - Shirley Russotti\)](#)

Lisa Mitchell reported that the Walk Around Committee was down to 2 members.

6. [TOWN MANAGER REPORT](#)

a. [Master Plan Steering Committee Members](#)

Manager Colon said that at the previous meeting the Commission voted Shirley Rusotti as a member. She added that as a result the Committee was now 7 members with 1 alternate.

b. [Rachlin Cohen & Holtz - Engagement Letter](#)

Manager Colon wanted to inform the Commission that the engagement with the auditors was being renewed. She thanked the Commission for the budget workshops and hoped they would call Executive Secretary, Marta Isla so they could work together with the draft budget regarding possible changes prior to the September 12, 2008 Budget meeting.

Commissioner Clotney asked whether Mary Ann Wardlaw was the alternate on the Master Plan Steering Committee. Manager Colon said she was and wanted to stay an alternate. Paul Novak stated that the Committee consisted of 9 members with Mary Ann Wardlaw and named the members of the Committee.

Commissioner Clotney made a motion to add Mary Ann Wardlaw as a regular member to the Master Plan Steering Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5 - 0.

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Manager Colon asked for copies of the reports and agenda request forms prior to the meetings.

Manager Colon added that Chief Gooding had money for the Town. Chief Gooding reported that on June 26th a vehicle was seized for narcotics. He added as a result he presented a check for \$5,000 payable to the Town of Lauderdale-By-The-Sea.

7. [APPROVAL OF MINUTES](#)

a. [July 8, 2008 Workshop Minutes](#)

There were no additions, deletions, or corrections to the July 8, 2008 Workshop minutes.

Commissioner Silverstone made a motion to approve the Workshop minutes of July 8, 2008. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5 - 0.

b. [July 8, 2008 Regular Meeting Minutes](#)

Mayor Minnet requested the addition of the names of those who attended the RFP for Sea Ranch Lakes with the Volunteer Fire Department on page 2, ITEM 5b of the Regular Meeting minutes. Clerk White agreed to make the addition.

Vice Mayor McIntee made a motion to approve the Minutes with the addition. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5-0.

8. [PUBLIC COMMENTS](#)

Cristi Furth expressed her appreciation for the El Prado Park. She believed the sea grapes would grow too big and block the view.

Rosa Michailiuk was not in favor of a dog beach.

Maureen McIntee stated that everyone in Bel-Air got along beautifully. She asked that the Bel-Air Civic Association be more active and get involved. She gave credit to the Bel-Air Beautification project.

Michael O'Neal addressed the beautification project on Seagrape Drive. He was concerned with the lack of communication between Planner Keller and the residents, the lack of sprinklers on the west side of the proposed sidewalk, and the reconstruction of the berms.

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Edward White hoped the Town of Lauderdale-By-The-Sea would continue supporting the Chamber of Commerce. He believed if the Chamber was moved to Commercial Boulevard people would pass it by.

Frank Herrmann stated that the Town of Lauderdale-By-The-Sea needed a post office more than a doggy beach.

9. [ORDINANCES - "PUBLIC HEARING"](#)

I. [Ordinances 1st Reading](#)

- a. [Ordinance 2008-17: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING THE TOWN CHARTER TO REQUIRE THE TOWN TO CONTRACT WITH LAUDERDALE-BY-THE-SEA VOLUNTEER FIRE DEPARTMENT, INC., FOR THE PROVISION OF FIRE PROTECTION SERVICES WITHIN THE TOWN; REQUIRING REFERENDUM APPROVAL FOR ANY ENTITY OTHER THAN LAUDERDALE-BY-THE-SEA VOLUNTEER FIRE DEPARTMENT, INC. TO PROVIDE PRIMARY FIRE PROTECTION SERVICES IN THE TOWN; PROVIDING FOR CONFLICTS WITH OTHER PROVISIONS OF THE TOWN CHARTER; CALLING FOR A REFERENDUM ELECTION; PROVIDING FOR THE FORM OF THE BALLOT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. \(Tabled at the July 8, 2008 meeting by Commissioner Dodd\)](#)

Mayor Minnet read Ordinance 2008-17 by title.

Mayor Minnet opened the public hearing.

Bob Fleishman believed the reason for the referendum was that an elected official had a desire to become Chief of the Volunteer Fire Department for a \$100,000 a year with benefits and relinquish his position as Commissioner. He added that the referendum would guarantee that position.

Frank Herrmann believed in the Volunteer Fire Department and commended the Commission for bringing them back.

Diane Boutin commended the Administration for renovating the public safety building, but did not believe it was enough.

Lisa Mitchell was in favor of the referendum. She did not want to see the Volunteer Fire Department ousted like they were in the past.

Maureen McIntee thought that when people approach the podium to report they should report the truth and not the rumors, as that was the intelligent way to report.

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Ron Piersonte was against the referendum and inquired of the rush to go forward with it.

With no one else wishing to speak, Mayor Minnet closed the public comment portion of the meeting.

Commissioner Silverstone cleared up some of the rumors and pointed out that only a firefighter 2 was paid. He added that the off-site building was to be sold, which almost equaled an equal exchange for the purchase of a new public safety building. Commissioner Silverstone stated that there was no other honor than to be a Volunteer Fire Fighter as they put their lives on the line to save their neighbors.

Vice Mayor McIntee inquired of the cost for a referendum in March. Manager Colon said it was less than \$10,000.

Commissioner Dodd was 10% behind the Ordinance but was not sure if the time was right.

Commissioner Dodd made a motion to table for twelve months. Commissioner Clotey made a friendly amendment to table to the second meeting in November.

Commissioner Dodd made a motion to table Ordinance 2008-17 to the November 11, 2008 meeting. Commissioner Clotey seconded the motion. In a roll call vote, the motion carried 5 - 0.

II. [Ordinances 2nd Reading](#)

- a. [Ordinance 2008-01: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR CERTAIN TEXT AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN TO ADDRESS THE 2005 EVALUATION AND APPRAISAL REPORT; PROVIDING FOR TRANSMITTAL OF THE PROPOSED AMENDMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE \(Approved 1st reading January 8, 2008\)](#)

Mayor Minnet read Ordinance 2008-01 by title.

Mayor Minnet opened the public comment portion of the meeting.

Walter Keller explained the proposed changes made to the comprehensive plan and the process the Town went through with the

State. He said the State's objections and proposed recommendations were marked in red along with additional information pertaining to what was done to address those issues. Mr. Keller said the Water Supplies Facilities Work Plan addressed new requirements and that the majority of that document would be added to the support document of the Comprehensive Plan, but that the goals, objectives and policies included in the back part of that document would be merged into the Comprehensive Plan as part of the adopted document. Mr. Keller added that a Transportation map (not provided in the packet) would become part of the Plan. Mr. Keller said that the Commission would vote only on the adopted portion of the Comprehensive Plan.

Mayor Minnet invited the public to speak. Mr. Keller announced that if anyone wanted to be party to comments or documents released by the Department of Community Affairs to provide their name and address and they would be copied with that information.

Diane Boutin urged the Commission to adopt the Comprehensive Plan.

Commissioner Clotey wanted to table the Comprehensive Plan to the 2nd meeting in September in order to allow time to review. Manager Colon stated that most of the document consisted of the same documents and contained only a few changes. She added that there were deadlines that had to be met. Planner Keller said the Water Supply Facility Work Plan was to be submitted by August 15, 2008. Discussion followed regarding the amount of work put into the Comprehensive Plan and grant monies that could be lost if deadlines were not met.

Mr. Keller pointed out that 90% of the Comprehensive Plan was reviewed by the State in January, 2008 with a few minor changes. He added that the Water Facilities Work Plan was 98% complete when submitted. He said the goals, objectives and policies were the important part of the document and that was what the Commission was adopting. Mr. Keller did not know whether penalties would be imposed if the document was deferred.

Commissioner Silverstone questioned whether a referendum could be done to keep the current balance in property use. Attorney Abbott said provisions could be added to the Charter to limit development of property, but should not decrease property values.

Commissioner Dodd agreed with Commissioner Clotey and referred to read policy number 1.2.1 and policy number 1.5.4 regarding future land use which would perpetuate the overlay districts. He believed the Master Plan Steering Committee needed to review that document.

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Walter Keller said changes could be made and if the Overlay Districts were gone, then the policy had already been implemented. Mr. Keller thought it would be beneficial to approve the Comprehensive Plan and if the Commission found things they did not like they could come back and make the changes.

Commissioner Silverstone requested a point of information as to whether the Comprehensive Plan was a changing of Ordinances, or the law of the land, or a creation of policy that changes could be made to. Attorney Abbott said that as an Ordinance, once passed, became the Comprehensive Plan and the law of the Town, and required State approval by the Department of Community Affairs to change that law. He added that land development decisions inconsistent with the Comprehensive Plan could not be made for some time.

Commissioner Clotney stated that she had read the document and did not fully understand everything in the document and would vote against it unless she had a clear understanding.

Vice Mayor McIntee made a motion to table Ordinance 2008-01 to September 12, 2008. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 4 - 1. Mayor Minnet voted no.

Mayor Minnet recessed the meeting at 9:20 p.m. and reconvened at 9:30 p.m.

10. [COMMISSIONER COMMENTS](#)

Commissioner Dodd reported that the Hillsboro Inlet Commission dropped their millage rate which would put more money in people's pockets. He added that a grant, in the amount of \$500,000 was earmarked for the artificial reef project leaving a cost of \$800,000 to the Town of Lauderdale-By-The-Sea rather than \$1.3 million. Commissioner Dodd referred to the turtle lighting survey and asked Town Administration to submit a report to the Commission by the September 12, 2008 Commission meeting to determine whether all the lights that had been noted in the report were acted on or dealt with.

Vice Mayor McIntee stated that it was the opinion of Attorney Abbott that there was no ethical prohibition against a member of the Commission to be a member of the Citizens Initiative Committee. He addressed resident concerns about public safety and indicated that full scale visits were to be made to the high rise condos to help ease those concerns. Vice Mayor McIntee reminded everyone that dropping the millage rate meant employees were tightening their belt and working harder. He asked the people to thank the employees.

Mayor Minnet did not receive Attorney Abbott's opinion and requested that he email it to her. She expressed her condolences to the family of Marie

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White. Mayor Minnet announced that there was a map in Town Hall regarding the Adopt-A-Street Program and stated that some of the streets had already been adopted. Mayor Minnet urged the people to contact Governor Crist and voice their opinions regarding the Calaypso Project. She stated that during Hurricane season outreach programs were available to the residents and urged them to take note of anyone in their community that may need assistance and notify proper authorities. Mayor Minnet urged everyone to get out and vote at the August 26, 2008 Primary Elections for County Officials and Judges. She announced that the ByTheSea Future newspaper won 3 awards for editorial, breaking news story, and best use of color. She hoped more people would attend the budget meeting on September 12, 2008. Mayor Minnet explained she voted no on the Bel-Air project because she felt that staff and the Commission should have had time to review the project.

Commissioner Clotney hoped that the August break would give everyone rest. She was disappointed in the turnout during the budget workshop and was against the dog beach due to health issues. Commissioner Clotney wanted to see the Chamber become more self sufficient. She believed there were problems with parking and some businesses wanted the meter bags and some did not. Commissioner Clotney received complaints regarding the noise level in the center of town. She believed the amplifiers should not be so loud. Commissioner Clotney attended the funeral of Marie White and extended her sympathies to her family.

Commissioner Silverstone recognized Marie White as a model citizen and an unforgettable person in the Town of Lauderdale-By-The-Sea. Commissioner Silverstone looked forward to a drop in the millage rate from 4.1012 to 3.9900.

11. [CONSENT AGENDA](#)

Mayor Minnet pulled item 11c, 11d, 11e, and 11i for discussion.

Commissioner Silverstone made a motion to approve items 11a, 11b, 11f, 11g, and 11h on consent. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5 - 0.

- a. [Notification to the Town Commission of the recording of Certification of liens approved by the Special Master. The following cases are to be recorded: 08-02-00038 at 1841 W. Terra Mar Dr.: 08-02-00039 at 3270 Spanish River Drive.: 08-02-00041 at 3231 Fiesta Way \(Director Rabinowitz\)](#)

This item was approved on consent.

- b. [Appoint Jim Silverstone chair of the Halloween event and Marc & Cristie Furth co-chairs for the Haunted House \(Commissioner Clotney\)](#)

This item was approved on consent.

- c. [Appoint Stu Dodd & Jerry McIntee co-chairs of the 2009 Easter event & Cristie Furth as event co-ordinator \(Commissioner Clottey\)](#)

Commissioner Clottey stated that since Sunshine could be a problem she felt 2 Commissioners should share one Committee and believed it would work better if only 1 was present. Vice Mayor McIntee made a motion to appoint Birute Ann Clottey as Chairperson for the Easter Event. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

- d. [Appoint Jim Silverstone & Jerry McIntee co-chairs of the 2009 July 4th event & Marc & Cristie Furth as event coordinators \(Commissioner Clottey\)](#)

The Commission discussed the option of co-chairing the 4th of July event, with one person in charge, as the Chair. Mayor Minnet was concerned with a sunshine issue and the possibility of a conflict of interest. Attorney Abbott saw no reason for concern unless there were vendors and purchases involved. He added that the meeting would require notice and if the meeting requirements were fulfilled there was no limitation.

Vice Mayor McIntee made a motion to appoint himself and Commissioner Silverstone as Co-Chairs to the 4th of July Committee. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5-0.

- e. [Commission Approval of Special Event Application for Wine and Food Festival to be held Various Weekends from August 29, 2008 thru March 17, 2009 \(Assistant Olinzock\)](#)

Commissioner Clottey received a lot of complaints regarding the noise. Discussion followed regarding the noise decibel with Chief Gooding noting he had not received any complaints, and that the Ordinance was previously changed from 9:00 p.m. to 10:00 p.m. Assistant Olinzock explained that the dates and times of events were for 9 occurrences. (32 days). Commissioner Dodd did not want to allow the event to go to 11:00 p.m. and suggested a trial period to prove the festival would not interfere with other events.

Commissioner Silverstone was concerned that October 31st might conflict with the Halloween event.

Vice Mayor McIntee was concerned that the parking lot would turn into an open bar. Louis Marcellos of the Fisherman's Pier said the event was not a 3 day event. He said that Broward County charged \$1,000 and that is why they asked for 3 days. Mr. Marcellos said the event was on private property and there would be no street closures.

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Vice Mayor McIntee asked whether Mr. Marchellos wanted 2 events on Saturday. Mr. Marchellos said he would not do the Saturday event on the street if they did the event in the parking lot.

Commissioner Clotey asked whether there were any open air complaints with the music going until 11:00 p.m. Mr. Novak did not believe the music was the problem as long as they shut it down by 10:00 p.m. and did not exceed the noise decibel. He was concerned with alcohol consumption but believed that with security it could be controlled. Diane Boutin said the Windjammer was located one block south and she had not had any complaints with the music.

Vice Mayor McIntee made a motion to grant the 1st 3 events on a 3 month trial basis with the stipulation that if the events were started prior to the Friday set up, it would be difficult to get approval for additional activities. Commissioner Dodd seconded the motion.

Commissioner Dodd agreed to the 3 event trial period with an evaluation made by the other businesses at the end of the trial period. Mayor Minnet preferred only one or two of them on trial basis as she believed 3 events were too many.

Vice Mayor McIntee made a motion to amend his motion to a 2 event, 3 month trial period, with a guarantee they would not occur on Fridays. Commissioner Dodd and Mayor Minnet favored the motion. In a roll call vote, the motion carried 5-0.

Mayor Minnet clarified that although the application stated the time to 11:00 p.m. the event would end at 10:00 p.m. Mr. Marchellos agreed.

- f. [July 4, 2008 Celebration Expenditures \(part of the original \\$40,000.00 approved May 27, 2008; 1. American Signs - \\$558.00 Signage \(Assistant Olinzock\)](#)

This item was approved on consent.

- g. [Commission Approval for Town Manager to Negotiate and Award Contract Complying with Town Purchasing and Building Code, for repair and replacement of the stormwater inlets and related piping and drains at Imperial Lane. In a Total Amount not to Exceed \\$36,000 \(Projection Attached\)](#)

This item was approved on consent.

- h. [Commission Approval for Town Manager to Negotiate and Award Contract Complying with Town Purchasing and Building Code, for replacement of the Force Main at the Hibiscus lift station. In a Total Amount not to Exceed \\$81,000](#)

(Projection Attached) (Assistant Olinzock)

This item was approved on consent.

- i. Commission Approval for Town Manager to Negotiate and Award Certain Contracts and Agreements, Complying with Town Purchasing and Building Code, for Renovation (including but not limited to Architectural Services, Air Conditioning, Generator, Electrical Distribution, Elevator, etc.) of the Newly Acquired Public Safety Building, 4513 N Ocean Drive, in a Total Amount not to Exceed \$350,000.00 (Projections and Estimates Attached)

Commissioner Clotney asked for a status report on the warehouse. Manager Colon explained that the contract was signed with a 90 day window. Commissioner Clotney was not happy with \$350,000 for renovations. Assistant Olinzock stated that in order to use the building, the building needed to meet Code, which included the installation of an elevator. He added that air conditioning also was needed.

Mayor Minnet wanted the Commission to look at the whole picture and not rush into anything. She believed the building should come down. She was against the remodeling and wanted to look for a whole public safety building and possible grant money to make this a positive project for the Town.

Commissioner Silverstone believed there should be something to compare it to and referred to the Master Plan to renovate the entire complex including Town Hall and asked what the cost was for that project. Manager Colon believed it was almost \$7 million. Commissioner Silverstone pointed out that with the purchase of the building next door, and the sale of the off site building, remodeling the building next door, would be an even trade. He believed \$350,000 versus \$7 million was a good deal and made sense.

Vice Mayor McIntee agreed. He added that grants would not be available until next year and may be 2 or 3 years before work could begin.

Mayor Minnet said the building needed to be brought up to government and ADA standards and did not believe that \$350,000 would accomplish that. Manager Colon pointed out that before any work could begin an Architect would look at the building.

Vice Mayor McIntee asked whether the building was inspected. Assistant Olinzock said it was. He added that he did a walk through with James Barton, Town Engineer, who was comfortable with the route that he and Manager Colon was taking. Assistant Olinzock added that Engineer Barton's only concern was taking an apartment building and turning it into a public facility and advised there would be certain codes that the Town would need to comply with.

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Commissioner Dodd said the Town had to get rid of the trailers and move forward.

Commissioner Clotey asked for an occupancy date. Assistant Olinzock said that AMR needed space by October 1. He added that the Volunteer Fire Department needed an area for minimal operations, and an informational area to assist the public.

Commissioner Silverstone asked whether \$350,000 was enough to get the building operational. Manager Colon said that the essentials were a generator and air conditioning and she would follow the recommended process as submitted by the Architect and Planner.

Commissioner Dodd made a motion to approve. Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 4 - 1. Mayor Minnet voted no.

12. [RESOLUTION](#)

13. [OLD BUSINESS](#)

- a. [Commission Approval of Use of Forty Five \(45\) Parking Spaces in the El Prado Parking Lot and Twenty \(20\) Parking Spaces in the Bougainvillea Drive Parking Lot by Minto During Construction Activity, Twelve \(12\) Hours a Day, Five \(5\) Days per Work Week, from July 25 2008 to December 31, 2008 at the cost of \\$540.00 and \\$240.00 per Day Respectively \(Assistant Olinzock\)](#)

This item was removed from the agenda.

- b. [Discussion and/or action to appoint a 2nd alternate to the Board of Adjustment \(Tabled at the July 8, 2008 meeting by Vice Mayor McIntee\) \(Clerk White\)](#)

Clerk White stated there were 5 members and a 1st alternate on the Board of Adjustment with no applicants to fill the 2nd alternate position.

Vice Mayor McIntee made a motion to table to the September 12, 2008 Commission meeting. Commissioner Dodd seconded the motion. In a roll call vote, the motion carried 5 - 0.

- c. [Discussion and/or Action SUPPORTING the Broward County Commissioners and the governing body of the South Florida Water Management District by approving a resolution \(sample attached\) to create a Broward County Water Resource Task Force \(Mayor Minnet\)](#)

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Vice Mayor McIntee made a motion to approve a resolution to create a Broward County Water Resource Task Force. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

Manager Colon asked for confirmation as to whether the Commission approved the Resolution attached. Attorney Abbott said they did.

d. [Discussion and/or action regarding Dog Beach \(Vice Mayor McIntee\)](#)

Vice Mayor McIntee stated he was inundated with calls against the dogs on the beach.

Vice Mayor McIntee made a motion to terminate the dog beach. Commissioner Silverstone seconded the motion.

Commissioner Silverstone said he too received many calls against having a dog beach.

Commissioner Dodd was disappointed with the negativity he received. He added other Towns and Cities were successful. Commissioner Dodd wanted a trial dog beach area in the southern end of Town, between the Palm Avenue Portal and the Fountainhead. He believed the rest of the beach would be cleaner and wondered what toilets the homeless people used, that slept on the beach.

Commissioner Dodd made a motion to allow a trial dog beach area in the southern end of Town, between the Palm Avenue Portal and the Fountainhead. The motion failed for lack of a second.

In a roll call vote, the motion to terminate the dog beach carried 4 - 1. Commissioner Dodd voted no.

Commissioner Dodd wanted to poll the people through the internet or the Town Topics and an interactive Town web site. Manager Colon said she would put it in the Town Topics, but the Town did not have the capabilities for an interactive web site. She added she would have something on Channel 78 for people to call. Commissioner Dodd accepted.

Commissioner Silverstone made a motion to extend meeting to 11:30 Vice Mayor McIntee seconded the motion. In a roll call vote, the motion carried 5 - 0.

14. [PUBLIC HEARINGS](#)

15. NEW BUSINESS

- a. [Discussion and/or Action: Chamber of Commerce Agreement \(Commissioner McIntee\)](#)

Vice Mayor McIntee said he had requested Paul Novak to report on different ways to make budget cuts.

Vice Mayor McIntee made a motion to table to the September 12, 2008 Commission meeting. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

- b. [Discussion and/or Action of the annual Christmas By-The-Sea - sponsored by Town, Chamber and local business \(Commissioner McIntee\)](#)

Vice Mayor McIntee wanted to talk with Paul Novak regarding the costs and come back to the Commission in September with a fair figure.

Vice Mayor McIntee made a motion to table to the September 12, 2008 Commission meeting. Commissioner Silverstone seconded the motion. In a roll call vote, the motion carried 5 - 0.

Commissioner Dodd requested that Vice Mayor McIntee, while in meeting with Paul Novak, identify the costs involved of the Welcome Center part of the meeting so that actual figures of the business side could be presented. Vice Mayor McIntee agreed.

- c. [Halloween Party \(Commissioner Silverstone\)](#)

Commissioner Silverstone stated that a Halloween party was set for October 31, 2008.

- d. [Discussion and/or action to appoint a 2nd alternate to the Planning & Zoning Board \(Clerk White\)](#)

Clerk White had announced that Mr. Franchek had resigned from the Planning and Zoning Board and only 1 application had been received.

Commissioner Clotey made a motion to appoint Dennis Ritchie as 2nd alternate member to the Planning and Zoning Board. Commissioner Dodd seconded the motion.

In a roll call vote, the motion carried 5 - 0.

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Commissioner Clotey wanted to add an item to discuss the possibility of having Commissioner Jim Silverstone as the contact person for hurricane disasters. There were no objections to her request to add the item.

Chief Gooding explained that he was in constant contact with the Emergency Operations Center before, during and after a storm. Vice Mayor McIntee said the Chief Officer was always in control. Manager Colon explained that the protocol was for the Town Manager to contact the Mayor and was different from Chief Gooding's protocol. Commissioner Silverstone felt that his own experience with disaster would benefit that role.

Vice Mayor McIntee explained that the procedure was set. Mayor Minnet agreed that the protocol was set in the Charter.

16. TOWN ATTORNEY REPORT

17. FUTURE AGENDA ITEMS

18. ADJOURNMENT

Commissioner Dodd made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 11:09 p.m.

Mayor Roseann Minnet

ATTEST:

Town Clerk, June White

Date